

Remarks

In view of the above amendments and the following remarks, favorable reconsideration of the outstanding office action is respectfully requested.

Claims 1, 7, 22-24, 26, and 29 have been amended. Claims 2, 8-9, and 28 have been canceled without prejudice or disclaimer. New claims 30-35 have been added. Support for the new claims can be found in the application as filed, for example on page 8, lines 19-24. Claims 15-21 have previously been withdrawn from consideration, without prejudice.

1. Restriction Requirement

The Examiner issued a Restriction Requirement identifying the following groups of claims as being drawn to potentially distinct inventions:

- Group I. Claims 1-14 and 22-29, drawn to a single mode optical waveguide having a radial and azimuthal asymmetric core, classified in class 385, subclass 123;
- Group II. Claims 15-21, drawn to methods for making fiber waveguides, classified in class 65, subclass 412; and
- Group III. Claims 22-29, drawn to a multimode optical waveguide having a radial and azimuthal asymmetric core, classified in class 385, subclass 123.

The Examiner asserted that these inventions may be regarded as independent and distinct from one another because 1) Inventions I, II and III are related as process of making and product made, 2) Inventions I and III are unrelated.

In a telephone conference with the undersigned attorney/agent of record dated May 14, 2003, a provisional election to Group I, claims 1-14 and 22-29 was made, with traverse. Applicants hereby confirm that provisional election, with traverse.

As a formality, Applicants hereby cancel claims 15-21, without prejudice.

2. Drawings

The Patent Office has objected to the drawings because lines connecting numerals to their associated elements do not align in Figure 1G.

A marked up Figure 1G is submitted herewith with proposed drawing corrections shown in red.

Also, the Patent Office stated that item 86 of Figure 2F is not in the Specification, however, item 86 is mentioned on page 8, line 18.

Removal of the objection to the drawings is requested.

3. Claim Objections

The Patent Office objected to Claims 7 and 22 because the functions $f(r)$ and $g(r)$ are vague and indefinite. The functions have been removed via the amendments above.

4. Specification

The Examiner has indicated various informalities or typographical errors in the specification, which have been corrected above as appropriate. Removal of the objection to the Specification is requested.

5. Allowed Claims/Subject Matter

Applicants note with appreciation that the Examiner has indicated the subject matter of claims 8-9 and 28-29 are objected to as being dependent upon a rejected base claims, but are patentable, and would be allowable if rewritten in independent form.

Examiner indicates that claims 22-25 would be allowable if claim 22 was rewritten to overcome the claims objection above.

6. § 102 Rejections

The Examiner has rejected claims 1-7 and 10-14 under 35 U.S.C. § 102(b) as being anticipated by Brehm (U.S. Patent No. 4,978,377) for the reasons set forth in the Office Action.

The Examiner has rejected claims 26 and 27 under 35 U.S.C. § 102(b) as being anticipated by Kompfner (U.S. Patent No. 3,823,996) for the reasons set forth in the Office Action.

7. Conclusion

In view of the amendments above, Applicants request reconsideration of the claims and submit that the pending claims are in condition for allowance, and such allowance is earnestly solicited.

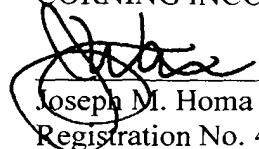
Applicants respectfully request that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Joseph M. Homa at 607-974-9061.

Respectfully submitted,

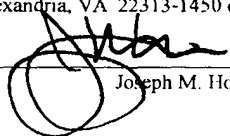
CORNING INCORPORATED

Date: 10/22/03



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Joseph M. Homa, Signature